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DOJ FOR BRUCE SWARTZ

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TAGS: [PGOV](#) [KJUS](#) [EG](#)
SUBJECT: ATTORNEY GENERAL GONZALES MEETINGS IN CAIRO

REF: CAIRO 3993

Classified by Deputy Chief of Mission Stuart Jones, for reasons 1.5. (b) and (d).

¶1. (C) SUMMARY: In warm June 29 meetings with the Egyptian Ministers of Justice, Interior, and the Public Prosecutor, Attorney General Alberto F. Gonzales and his Egyptian interlocutors praised the close CT coordination between the USG and GOE, as well as overall cooperation on criminal and judicial matters. Minister of Justice Mahmoud Abu Leil opined that the Emergency Law will be lifted by the beginning of 2007, and the new Anti-Terrorism Law (currently being drafted by an internal MOJ committee) will be enacted at the same time. Minister of Interior Habib El-Adly welcomed the concept of a USG police expert being assigned short-term to Cairo to coordinate with the GOE on developing police training initiatives, and pledged to raise with President Mubarak the recommendation that NileSat halt broadcasting of the Hezbollah-run Al Manar channel. El-Adly asserted that recent allegations of police brutality by activist Mohamed el-Sharqawi are a "fabrication." Public Prosecutor Counselor Maher Abdel Wahed was enthusiastic about the new Judiciary Law, asserting that Egyptian judges are more independent now than at any time in the past. AG Gonzales' conversation with President Mubarak reported septel. END SUMMARY.

MINISTER OF JUSTICE: EMERGENCY LAW WILL BE LIFTED BY
BEGINNING OF 2007

¶2. (C) During a cordial June 29 meeting, Egyptian Minister of Justice Mahmoud Aboul Leil Rashed and AG Gonzales lauded U.S.-Egyptian cooperation on CT issues, with both stressing that their number one priority is fighting terror. AG Gonzales emphasized that the fundamental challenge is to combat terrorism effectively within the boundaries of the rule of law, and with respect for civil liberties. Following discussion of the new Judiciary Law passed by Parliament (reftel), Aboul Leil Rashed noted that the new draft Press Law (currently before the Shoura Council (upper house of Parliament) for debate) will provide increased freedoms and protection to journalists, and opined that the law will be approved by Parliament before the end of the current Parliamentary session on July 15. The Minister highlighted that the new law has a provision for prosecuting any journalist who publishes information which would "harm national security".

¶3. (C) At AG Gonzales' behest, Aboul Leil Rashed discussed the GOE's efforts in preparing an Anti-Terrorism Law to supplant the Emergency Law (which has been in effect since

1981). The Minister stated that a committee has been formed to draft the new law, "drawing from the experience of the U.S. and other countries in this field," and that he expected the new law would be promulgated, and the Emergency Law lifted, by the beginning of 2007. The meeting concluded with a discussion of constitutional obstacles (on the Egyptian side) preventing the extradition of Egyptian citizens to the United States.

MINISTER OF INTERIOR: SHARQAWI ALLEGATIONS A "FABRICATION"

¶4. (C) Discussion in AG Gonzales' June 29 meeting with Egyptian Minister of Interior Habib El-Adly centered on the success of USG-GOE CT efforts to date, and the need to continue close coordination. El-Adly asserted that, while U.S. efforts against Al Qaeda have succeeded in damaging the organization's central infrastructure, the net result is the U.S., Egypt, and others are now facing widespread threats from a diverse group of decentralized terrorist groups, who because of their variegated nature and modus operandi are more difficult to target than AQ; the AG agreed that the challenges posed by those waging "virtual Jihad" via the Internet have created new challenges for law enforcement world-wide.

¶5. (C) Ambassador Ricciardone noted continuing U.S. efforts to identify a USG police expert to work in Cairo for a 2-3 month period, exploring further cooperation with the MOI, and liaising with GOE specialists to design a police training program. El-Adly welcomed the concept, stating, "there is no problem with this plan; we welcome cooperation in terms of transferring expertise and know-how." El-Adly discoursed on the challenges facing Egyptian police officers in terms of operating within "strict" legal parameters, and under press scrutiny, regarding their treatment of arrestees, commenting that Mohamed el-Sharqawi got his "hand scratched", and yet it "becomes a big story" (Note: Sharqawi is a "Youth For Change" activist who was arrested May 25 during a demonstration, and alleges he was beaten and sodomized following his detention. End Note). Asserting that Sharqawi's story is a fabrication, El-Adly stated that after taking Sharqawi's statement regarding his alleged beating, the MOI referred the case to the Public Prosecutor and the Forensic Office, but that Sharqawi refused to undergo a medical exam (Note: According to a May 28 letter Sharqawi passed to fellow activists, after recording his injuries for the chief prosecutor during his interrogation at the Heliopolis State Security Prosecution Office, he refused to give a formal statement before the State Security Prosecution because it is unconstitutional; he requested that he give a statement before a magistrate instead, in accordance with Egyptian law. Sharqawi makes no reference to refusing a medical exam. End Note). AG Gonzales observed that in cases of alleged police beatings, the challenge is determining the facts of what happened; if such brutality occurred, than it must be condemned. Deputy Assistant AG Bruce Swartz noted that in light of these events, part of the police training that the USG might usefully offer is training regarding how U.S. police officers address claims of brutality.

¶6. (C) Noting the regular incitement to terror televised by the Hezbollah-run Al Manar channel, Ambassador Ricciardone remarked that, should Egypt utilize existing legal mechanisms to prohibit Al Manar from being broadcast via the Egypt-based Nilesat satellite, it would be a powerful blow against a terrorist recruitment tool. El-Adly promised to raise Al Manar with President Mubarak, but noted that it is a "complex issue" involving the Ministry of Information and specific broadcasting contracts.

PUBLIC PROSECUTOR: JUDGES MORE INDEPENDENT THAN EVER BEFORE

¶7. (C) After warmly praising the effective coordination between his office and the USG, Public Prosecutor Counselor

Maher Abdel Wahed reviewed for AG Gonzales the history of the Egyptian executive-judicial relationship, commenting that under the new Judiciary Law Egyptian judges are more independent than at any point in the past. He stated that the new law ensures the President's "sole input" regarding judges is at the beginning of their careers, when they are appointed, "following that, he has no say, and judges can only be removed or impeached by the Supreme Judicial Council or a disciplinary committee."

18. (C) AG Gonzales noted that a DOJ liaison attorney will be assigned to Cairo soon, in order to coordinate further with the Public Prosecutor and his staff. Deputy Assistant AG Swartz noted the USG would appreciate overall Egyptian assistance in increasing access to financial records. He requested specific GOE assistance in (1) obtaining financial records in the SAFA Group investigation; (2) following through on a prior pledge to make the 1986 Aviation Authority records available in the TWA 840 case; (3) assistance in the case of Lebanese-American Oussam Ziade, who is wanted on charges in Massachusetts and fled to Egypt; (4) further consideration of the FBI's request to interrogate Mustafa Hamza, and; (5) increased GOE attention to the Sarah al-Gohary child abduction case. Abdel Wahed responded that (1) General Attorney for the State Security Prosecution Hisham Badawi's committee for CT issues is working on the SAFA case, and will continue to be in close contact with Embassy Cairo and the DOJ regarding the issue; (2) prior to being able to find the information requested by the USG, the Egyptians need further details from the USG on the Lebanese woman who found the bomb on TWA 840; (3) Mustafa Hamza is currently serving a prison sentence in Egypt; Badawi will discuss the issue further with the FBI, and; (4) Abdel Wahed promised his staff would coordinate with the Embassy regarding the al-Gohary case, and commented that in general, if a parent has a ruling in their favor from a U.S. court, the GOE agrees that parent should have custody. Abdel Wahed closed the meeting by discussing GOE efforts on confronting trafficking in persons (reported septel).

19. (C) The Attorney General's staff has cleared on this cable.
RICCIARDONE